

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2012 APR 13 PM 2:15

DEPUTY CLERK

*EJB*

JAICOURRIE FINLEY, PRO SE,	§	
also known as	§	
JAICOURRIE DEWAYNE FINLEY,	§	
also known as MATTHEW MacCALLISTER,	§	
TDCJ-CID No. 01354674,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:10-CV-0212
	§	
BRIAN CLARK, ET AL.,	§	
	§	
Defendants.	§	

**ORDER REVOKING PAUPER STATUS AND ORDER OF DISMISSAL**

Plaintiff JAICOURRIE FINLEY, acting *pro se* and while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, has filed suit pursuant to Title 42, United States Code, Section 1983 complaining against fifty-nine defendants employed by or otherwise associated with the Texas Department of Criminal Justice. Seven of those defendants were dropped when plaintiff filed his January 26, 2011 Amended Complaint, leaving a total of 52 defendants. Plaintiff was granted permission to proceed *in forma pauperis* in accordance with 28 U.S.C. § 1915.

On March 29, 2012, a Report and Recommendation was filed by the United States Magistrate Judge analyzing plaintiff's litigation history and his claims under Title 28, United States Code, section 1915(g), and recommending plaintiff's plaintiff's pauper status be REVOKED and that the instant cause be dismissed for failure to pay the requisite filing fee.

Plaintiff was instructed that, if he elected to pay the filing fee, he could utilize the period for objections in which to do so.

The response period has expired, and no objections have been filed by plaintiff nor has the filing fee been paid.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS ORDERED:

1. Plaintiff's pauper status is REVOKED.
2. The instant cause is DISMISSED WITHOUT PREJUDICE TO REFILE WITH PREPAYMENT OF THE FILING FEE. 28 U.S.C. § 1915(g).

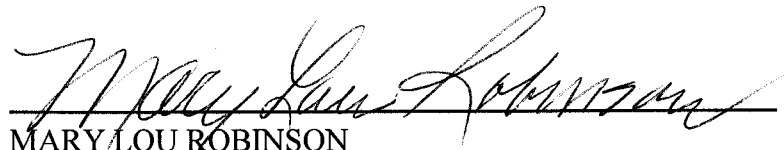
LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk will mail a copy of this Order to the plaintiff and to any attorney of record by first class mail.

All pending motions are DENIED.

It is SO ORDERED.

Signed this the 13<sup>th</sup> day of April, 2012.

  
MARY LOU ROBINSON  
United States District Judge